

REMARKS

Claims 1-26 are pending. Claims 1-10, 12, 19 have been amended.
Claims 6-26 have been withdrawn. Claims 1-5 remain in the application. To retain
the right to rejoinder in accordance with MPEP § 821.04(b), applicant amended
5 method Claims 6-11 to require the limitations of the system claims. No new
matter has been entered.

The Information Disclosure Statements (IDSs) mailed on March 21, 2003,
July 27, 2006 was not acknowledged in the present Office action. The IDS was
timely filed and must be considered on the record. 37 C.F.R. 1.97(c).
10 Acknowledgement for the foregoing IDS and entry of the cited art references is
respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. § 112, second paragraph, for
indefiniteness. Independent Claims 1-5 have been amended to satisfy the
requirement of 35 U.S.C. § 112, second paragraph. No new matter has been
15 entered. Withdrawal of the rejection under 35 U.S.C. 112, second paragraph, is
respectfully requested. Support for the claim amendment can be found in
specification on page 1, line 27-page 2, line 2; page 4, lines 8-28; page 8, lines 15-
24; page 9, line 20-page 10, line 16; page 10, line 30-page 11, line 13; page 13,
line 1-page 17, line 9, page 19, lines 6-19; page 20, lines 24-31.

20 Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by
U.S. Patent No. 6,320,495 to Sporgis. A claim is anticipated under 35 U.S.C.
§102(e) only if each and every element as set forth in the claim is found, either
expressly or inherently described, in a single prior art reference. MPEP §1231.
Applicant traverses the rejection. The Sporgis patent fails to teach or suggest
25 each and every claim element and fails to anticipate Claim 1.

Sprogis discloses a treasure hunt game utilizing GPS equipped wireless
communications devices. Players are given clues or directions to proceed along
one of many predetermined treasure hunt routes based upon their location as
determined by the GPS (Abstract; Col. 2, Lines 3-20 and 67-Col. 3, Lines 4-18;
30 Col. 5, Lines 11-29). A “gamemaster” computer program is designed to run the
treasure hunt from a central Website (Col. 3, lines 4-5, 19-26 and 51-55). A

general map of the treasure hunt territory is input into a gamemaster computer and is divided into a plurality of smaller segments or grids, each assigned a unique number (Col. 4, Lines 15-19). The players' GPS receivers receive navigation data and determine player locations, which are transmitted back to the gamemaster by the players' wireless communications device (Col. 3, lines 5-8). The gamemaster computer determines the next clue to be given to a particular player based upon the player's location, as well as other variables, such as the number of clues the player has correctly answered and the position of other players; the next clue is transmitted to and displayed on the player's wireless communication device (Col. 2, Lines 12-16; Col. 3, Lines 9-15; Col. 5, Lines 8-25).

Claim 1 has been amended to clarify the subject matter claimed. Claim 1 now recites zone of influence data defining one or more zones of influence and wherein each zone of influence is described by a plurality of stored geolocational data, user event data defining one or more user events; and event data associating one or more of the user events with each zone of influence, wherein each user event specifies a *trigger condition* based on the stored geolocational data for the associated zone of influence (emphasis added). No new matter has been entered. Support for the claim amendment can be found in specification on page 1, line 27-page 2, line 2; page 4, lines 8-28; page 10, line 30-page 11, line 13; page 13, line 1-page 17, line 9.

Claim 1 further recites a user device executing the cartridge, comprising a locational device *self*-identifying a location of the user device based on further geolocational data and a processor *locally* triggering at least one user event on the cartridge when the further geolocational data substantially correlates to the stored geolocational data for the zone of influence associated with the trigger condition of the at least one user event (emphasis added). No new matter has been entered. Support for the claim amendment can be found in specification on page 8, lines 15-24; page 9, line 20-page 10, line 16; page 15, line 8-page 16, line 9; page 19, lines 6-19; page 20, lines 24-31.

Such limitations are neither taught nor suggested by Sprogis, which differs in several key aspects. First, Sprogis teaches a treasure hunt game that is centrally

run by a gamemaster computer. The players' wireless communications devices must send their positions and receive clues from the gamemaster for the treasure hunt game to proceed. Additionally, the players' must also solve clues to progress along the treasure hunt route. In contrast, the mere physical presence of a user device within a zone of influence is all that is required to trigger an event, per Claim 1. In addition, in Claim 1, at least one user event is locally triggered when the location of the user device substantially correlates to the zone of influence, rather than being remotely determined by a gamemaster computer as taught by Sprogis. Moreover, Sprogis teaches sending a clue to a player's wireless communications device and the player must solve the clue as an action extrinsic to the device. In contrast, the trigger condition recited in Claim 1 is based on stored geolocational data for an associated zone of influence, not on a player's ability to solve a clue. Therefore, the Sporgis reference fails to describe all the claim limitations and does not anticipate Claim 1. Withdrawal of the rejection under 35 U.S.C. §102(e) is respectfully requested.

No new matter has been entered. Claims 2-5 are dependent on Claim 1 and are patentable for the above-stated reasons, and as further distinguished by the limitations recited therein. Withdrawal of the rejection under 35 U.S.C. § 102(e) is respectfully requested.

Per MPEP § 2114, Claims 1-10, 12, and 19 have been amended to clarify the claimed subject-matter as discussed with reference to 35 U.S.C. § 102(e) rejection.

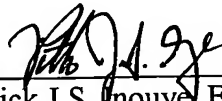
The prior art made of record and not relied upon has been reviewed by the applicant and is considered to be no more pertinent than the prior art references already applied.

Claims 1-5 are believed to be in a condition for allowance. Entry of the claim amendments with further examination are requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Response to Final Office Action
Docket No. 015.0405.US.CON

Respectfully submitted,

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